

Minnesota Environmental Quality Board

REQUEST FOR COMMENTS

Possible Amendments to Rules Governing Power Plant Siting and High Voltage Transmission Line Routing, *Minnesota Rules*, Chapter 4400 and Rules Governing Environmental Review, *Minnesota Rules*, Chapter 4410.

Subject of Rules. The Minnesota Environmental Quality Board requests comments on its possible amendments to rules governing power plant siting and high voltage transmission line routing. The Board is considering rule amendments that provide for site and route permits for large electric generating plants and high voltage transmission lines. The Energy Security and Reliability Act, signed into law in May of 2001, makes several amendments to Minnesota Statutes, section 116C.51-69 (also referred to as the Power Plant Siting Act). The MEQB's jurisdiction of transmission lines has been expanded to include transmission lines greater than 100 kilovolts. An alternative, shorter siting and routing process is provided for power plants and transmission lines meeting certain criteria, and the exemption option previously provided for some projects has been eliminated. The Board is also considering amendments to environmental review rules pertaining to large electric generating plants and high voltage transmission lines to better align the environmental review rules with the Power Plant Siting Act and associated rules.

Persons Affected. The amendments to the rules would likely affect electric utilities, other electric power producers, local units of government and landowners.

Statutory Authority. *Minnesota Statutes*, section 116C.66, authorizes the Board to adopt rules consistent with sections 116C.51 to 116C.69 (The Power Plant Siting Act).

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on December 7, 2001. The Board does not contemplate appointing an advisory committee to comment on the possible rules.

Rules Drafts. The Board has prepared a draft of the possible rules amendments to *Minnesota Rules*, Chapter 4400 (power plant siting). A public review draft of proposed amendments to the Chapter 4400 rules is available on the Minnesota Environmental Quality Board's website, <http://www.mnplan.state.mn.us/eqb/index.html>. Possible rules amendments to *Minnesota Rules*, Chapter 4410 (environmental review) have not yet been drafted.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rule amendments should be directed to: Alan Mitchell at the Minnesota Environmental Quality Board, Centennial Office Building – 3rd Floor, 658 Cedar St., St. Paul, MN 55155; Phone, 651-296-3714; e-mail, alan.mitchell@state.mn.us. TTY users may call the Board at 800-627-3529.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: September 4, 2001

Gene Hugoson, Chair

Minnesota Environmental Quality Board